

REMARKS

Claims 1-12, 14-22, 26 and 27 are pending in this application, claims 13 and 23-25 having been cancelled by the above amendment. Of these claims, claims 11, 12, 16 and 23-25 stand rejected under 35 USC §102(b) as being anticipated by Wolfe et al., and claims 11, 14, 15, 26 and 27 stand rejected under 35 USC §102(b) as being anticipated by Chludzinski et al. Also, claims 13 stands rejected under 35 USC §112, second paragraph, as being indefinite for a lack of antecedent basis problem.

In view of the preceding amendments and the following remarks, these rejections are traversed, and reconsideration of this application is respectfully requested.

Claims 1-10 and 17-22 have been allowed, and claim 13 has been indicated as being allowable if rewritten to overcome the 112, second paragraph, rejection and to include all of the limitations of the base claim and any intervening claims. Applicant acknowledges and appreciates the indication of allowable subject matter.

Independent claim 11 has been amended above to include the language from dependent claim 13 including the correction for lack of antecedent basis. In view of the Examiner's indication that claim 13 includes allowable subject matter, it is now believed that independent claim 11 is allowable over the prior art of record. Claims 23-25 have been cancelled.

Independent claim 26 has been amended above to state that the heat exchanger receives the cathode exhaust gas before the liquid separator receives the cathode exhaust gas. This allows the now cooled gas separated from the liquid in

the liquid separator to be used in the heat exchanger to reduce the temperature of the cathode exhaust gas, which is upstream of the liquid separator, and thus hotter.

U.S. Patent No. 4,473,622 issued to Chludzinski et al., applied against independent claim 26, discloses a fuel cell stack 2 that outputs a cathode exhaust gas on line 33 that is applied to a liquid vapor separator 34. The separated gas from the liquid vapor separator 34 is then sent to a water economizer 31 and a cooler 30. It is clear from figure 1 and the discussion in Chludzinski et al. that there is not a heat exchanger between the fuel cell stack 2 and the liquid vapor separator 34 that receives the cathode exhaust gas, where the separated gas from the vapor separator is used to cool the cathode exhaust gas in the heat exchanger. Therefore, Applicant respectfully submits that Chludzinski et al. cannot anticipate or make obvious Applicant's independent claim 26 as now amended. It is therefore respectfully requested that the §102(b) rejection against this claim be withdrawn.

It is now believed that this application is in condition for allowance. If the Examiner believes that personal contact with Applicant's representative would expedite prosecution of this application, he is invited to call the undersigned at his convenience.

Applicant is filing concurrently herewith a Power of Attorney to Prosecute Applications before the USPTO (appointing practitioners associated with the Customer No. 65798 Power of Attorney and changing the Correspondence Address

Serial No. 10/696,267

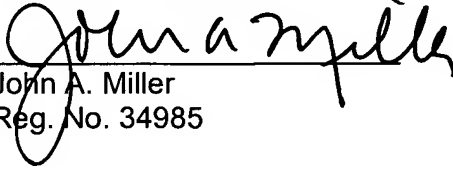
Docket No. GP-302183

as associated with Customer No. 65798 as identified below) along with a Statement under 37 CFR 3.73(b).

Respectfully submitted,

WARN, HOFFMANN, MILLER & LaLONE, P.C.
Attorney for Applicant

By:


John A. Miller
Reg. No. 34985

Dated: 11/28/06
P.O. Box 70098
Rochester Hills, MI 48307
Telephone: (248) 364-4300
Facsimile: (248) 364-4285